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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 Jack Leal,

14 Plaintiff,

15 v.

16 Nevada Department of Corrections, *et al.*,

17 Defendants.
18

Case No. 2:21-cv-01965-GMN-VCF

**Third Stipulation for Revised
Scheduling Order**

19
20 Pursuant to FRCP 16(b)(4) and Local Rule 26-2, the parties stipulate and agree
21 to modify/extend the Scheduling Order (ECF 75) and respectfully request the Court
22 approve the proposed schedule, set forth herein, extending the deadline for amended
23 pleadings for 17 days. This is the third stipulation for the extension of these
24 deadlines; Plaintiff's prior counsel had also filed two unopposed motions for
25 extensions. This request is submitted at least twenty-one (21) days or more before
26 the close of discovery (February 19, 2024) is made in good faith, and is supported by
good cause.

STATEMENT OF FACTS IN SUPPORT OF STIPULATION

This case began with a pro se complaint filed by Plaintiff Jack Leal on October 25, 2021. ECF No. 1. At the Court's direction Mr. Leal filed a pro se Amended Complaint (ECF 9), which the Court screened and accepted. (ECF 11). After unsuccessful attempts at mediation and other litigation, Defendants answered the Amended Complaint on November 18, 2022. ECF No. 40. On November 21, 2022, the Court entered its Scheduling Order, which set a 180 day deadline for completing discovery, with deadlines for amendments, joinder, expert disclosure, and dispositive timeframes consistent with the default periods in Local Rule 26-1(b). ECF No. 41. The Court has since granted several extensions of these discovery periods by stipulation of the parties, most recently on September 7, 2023 (ECF 75). Under this order, discovery must be completed by February 19, 2024.

Discovery has proceeded since September 7, 2023, with both sides making disclosures. On November 3, Defendants provided a First Supplement to Initial Disclosures, including hundreds of pages of records.

The operative complaint in this case remains Mr. Leal's pro per Amended Complaint, filed almost 2 years ago while he was still incarcerated. ECF 9. Counsel for Mr. Leal believes it would be beneficial to both the Court and the parties to have a counseled amended complaint that, in light of recent discovery, could more precisely identify both Mr. Leal's allegations and the proper defendants.

The deadline for filing an amended complaint under the Court's current order is November 21, 2023. The parties would stipulate to a 17 day extension of this deadline, to allow time for counsel to complete the proposed pleading, and also to confer with Defendant's counsel to see if a stipulation for the filing of this pleading can be agreed upon.

CONCLUSION

Based on the foregoing and for good cause appearing, the Parties respectfully request that the Court approve their Stipulation and extend the deadline for filing amended pleadings for 17 days, or until December 8, 2023.

Dated November 20, 2023

Aaron D. Ford
Attorney General

Rene L. Valladares
Federal Public Defender

/s/ Leo T. Hendges

/s/ Ryan Norwood

Leo T. Hendges
Senior Deputy Attorney General

Ryan Norwood
Assistant Federal Public Defender

IT IS SO ORDERED:



CAM FERENBACH, US MAGISTRATE JUDGE

Dated: 11/21/2023